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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 SECURITIES AND EXCHANGE
15 COMMISSION

16 Plaintiff,

17 vs.

18 LIXIN AZARMEHR, JL REAL ESTATE
19 DEVELOPMENT CORPORATION,
20 NEVADA SKILLED NURSING LENDER,
21 LLC, and NEVADA SKILLED NURSING
22 DEVELOPMENT, LLC,

23 Defendants.

CASE NO. 2:24-CV-00707-JCM-MDC

24 STIPULATION AND ORDER TO
25 EXTEND PRE-TRIAL DEADLINES

26 [THIRD REQUEST]

27 In accordance with LR IA 6-1, LR 26-1, and LR 26-3, Plaintiff Securities and Exchange
28 Commission (“Plaintiff” or “SEC”) and Defendants Lixin Azarmehr, JL Real Estate Development
Corporation, Nevada Skilled Nursing Lender, LLC, and Nevada Skilled Nursing Development,
LLC (collectively “Defendants”) (all collectively referred to herein as the “Parties”), and by and
through their counsel of record, hereby stipulate and agree, subject to the Court’s approval, to
extend the close of discovery and the other pre-trial deadlines as proposed below in Section IV.
This stipulation is being entered into in good faith, not for the purpose of delay, and good cause
exists for the extension.

1 This is the third request for an extension of such deadlines, all initiated by the Defendants.
2 The Parties previously entered the following stipulations for extension of discovery deadlines,
3 which the Court approved: First Stipulation for Extension of Time (ECF No. 28) (“First Request”)
4 and Stipulation for Extension of Time (Second Request) (ECF No. 32) (“Second Request”).

5 An extension is necessary because the Defendants have outstanding productions and
6 disclosures and Defendants, for the reasons set forth below, are not prepared to meet those
7 obligations under the current discovery timeline. As stated in the Second Request, and described
8 in more detail below, Defendants are still processing and have not yet produced, documents that
9 may be responsive to outstanding discovery requests. In addition, on April 2, 2025, counsel for
10 Defendants were ordered to conduct a trial in late July 2025 in a separate matter in the District of
11 Delaware on an issue the Delaware Court bifurcated pursuant to Fed. R. Civ. P. 42 (b). Preparation
12 for that will further hamper the ability of Defendants to meet their obligations for discovery in this
13 matter. Therefore, Defendants assert they need additional time to complete discovery. And, at
14 present, the SEC is prejudiced in its ability to efficiently complete depositions and other aspects
15 of discovery without the requested documents. For these reasons, the Parties are proposing this
16 Stipulation for a third extension of discovery deadlines.

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19 **I. DISCOVERY THAT HAS BEEN COMPLETED TO DATE:**

20 1. On September 10, 2024, the Parties each served their Initial Disclosures pursuant to
21 FRCP 26(a)(1)(A).

22 2. On September 24, 2024, Defendants served non-party Wells Fargo with a subpoena to
23 produce documents. Defendants initially held the subpoena in abeyance and later withdrew and
24 then re-served an amended subpoena to produce documents on Wells Fargo on April 10,
25 2025. Defendants and Wells Fargo are engaged in ongoing discussions regarding the scope and
26 timing of Wells Fargo’s production of responsive documents.
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1 3. On October 11, 2024, Plaintiff served Defendants with its First Set of Requests for
2 Admissions, First Set of Interrogatories, and First Set of Requests for Production of Documents.
3 On October 23, 2024, Defendants served Plaintiff with their First Requests for Production of
4 Documents and First Set of Interrogatories.

5 4. The Parties agreed to extend the deadlines for responses, with the Defendants' written
6 responses and production due December 20, 2024 and the SEC's written responses and production
7 due January 2, 2025. On December 20, 2024, Defendants served their written responses and
8 provided an accessible copy of a 168-document production on January 6, 2025. On January 2,
9 2025, the SEC served its written responses and made a 5,636-document production to counsel for
10 Defendants with a privilege log. Defendants have challenged Plaintiff's assertion of privilege
11 regarding certain communications between the SEC and the U.S. Citizenship and Immigration
12 Services ("USCIS") and the Financial Industry Regulatory Authority ("FINRA"), respectively,
13 and the Parties' conferral regarding that dispute is ongoing.
14

15 5. On February 21, 2025, counsel met to confer regarding the status of discovery and
16 potential ways to expedite discovery, including using technology-assisted review ("TAR") to
17 complete Defendants' production of their emails. Counsel for Defendants indicated that in addition
18 to emails there were physical documents in Las Vegas and documents related to the Legacy Jones
19 construction site that might be responsive to the SEC's discovery requests. On or about April 8,
20 2025, counsel for Defendants began using technology-assisted review of the emails in question.
21

22 6. On March 18, 2025, Defendants served subpoenas for documents on two non-parties:
23 USCIS and FINRA. FINRA has produced some documents responsive to Defendants' subpoena,
24 and Defendants and FINRA are engaged in ongoing discussions regarding the completion of
25 FINRA's production.
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1 7. On April 9, 2025, Defendants answered the Complaint in this matter. ECF No. 35.
2 Previously, the Parties had discussed narrowing the scope of discovery through a stipulation of
3 facts. However, after the Court's order denying the Defendants' motion to dismiss the Complaint,
4 ECF No. 34, the Defendants instead opted to answer the Complaint and abandoned the idea of a
5 joint stipulation of agreed-upon facts. The SEC and Defendants are not in agreement as to whether
6 the Defendants have substantially narrowed the scope of discovery. However, the Parties will
7 continue to discuss narrowing the issues in dispute so as to conserve the Court's and the Parties'
8 resources and time.
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10 8. On April 17, 2025, the SEC served a deposition subpoena on nonparty witness
11 Xiaoqian Huo. After the SEC sought emergency relief from the Court, ECF No. 36, the Parties
12 were each directed to brief whether service was sufficient and whether the "apex" doctrine
13 prevented Mr. Huo's deposition, ECF Nos. 37, 38. The Court deemed service sufficient, ECF No.
14 39, and ordered the Parties to enter a stipulation regarding the discovery dispute, ECF No. 40. On
15 May 20, 2025, the Court denied the Defendants motion for a protective order and compelled Mr.
16 Huo to appear for a deposition in this matter prior to the close of discovery. ECF No. 41.
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18 9. On April 28, 2025, Defendants served the SEC with its Second Set of Requests for
19 Production of Documents and Second Set of Interrogatories pertaining to the SEC's knowledge of
20 the location of Mr. Huo. On May 28, 2025, the SEC served its written responses on Defendants
21 and made a production.
22

23 10. On May 19, 2025, counsel for Defendants informed the SEC that they had recently
24 retained an expert who would require until August 15, 2025 to finalize his/her report. Counsel for
25 Defendants asked the SEC to consider an extension of expert disclosure deadlines in light of this
26 development.
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1 11. On May 22, 2025, counsel for Defendants asked the SEC to agree to an approximately
2 60-day extension of all existing discovery deadlines, including expert disclosures.

3 12. In addition to the conferrals between the Parties described above, the Parties have also
4 continuously discussed discovery issues – either by phone or email – throughout the discovery
5 period including, but not limited to, outstanding productions from Defendants, where to locate
6 documents in productions, deadline extensions, questions about responses and objections to
7 discovery requests, questions about productions, technical difficulties with productions, and
8 deposition scheduling.
9

10 13. As of the date of this stipulation, the SEC has produced 6,821 documents to the
11 Defendants. This number includes over 2,000 documents from Wells Fargo, FINRA, and USCIS.
12 Prior to the commencement of this action on April 11, 2024 the Defendants, through prior counsel,
13 produced 214 documents to the SEC. Defendants have produced 168 documents to the SEC since
14 this matter was filed.
15

16 14. It is the position of the SEC that the inability to complete discovery within the existing
17 timelines is the sole responsibility of the Defendants and the SEC will not agree to further
18 extensions on these grounds absent extraordinary circumstances.

19 15. It is Defendants' position that they will continue to conduct discovery in good faith,
20 and they will continue to seek stipulations as to undisputed facts.

21 **II. DISCOVERY TO BE COMPLETED:**

- 22 1. Completion of document production by Defendants.
23
24 2. Additional written discovery requests served by the Parties.
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26 3. Additional disclosures made by the Parties as discovery continues, specifically updated
27 Initial Disclosures by Defendants.
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4. Additional Subpoenas duces tecum to third-parties.
5. Disclosure of initial and rebuttal expert reports.
6. Depositions of the Parties.
7. Depositions of the experts.
8. Depositions of other pertinent nonparty witnesses.
9. Any further discovery needed following meet-and-confer efforts or discovery motion practice, if necessary.

III. REASONS WHY REMAINING DISCOVERY WAS NOT COMPLETED:

The Parties have been working since September 10, 2024 to complete discovery in this matter. However, the following materials are outstanding from the Defendants: (i) document productions including, but not limited to, responsive materials from the Defendants' emails, physical documents in Las Vegas, and documents related to the Legacy Jones construction site; (ii) updated initial disclosures; and (iii) a privilege log to attend their January 6, 2025 production. Defendants are also engaged in ongoing conferrals with non-parties Wells Fargo and USCIS, regarding Defendants' subpoenas. In addition, Defendants' conferral with non-party FINRA regarding the completion of FINRA's production is ongoing.

The Defendants' complete document discovery has been impacted by a matter in the District of Delaware where counsel for Defendants, Melvin White, Esq., and Jared Butcher, Esq., have been ordered, on short notice, to conduct a two-day trial from July 29-30, 2025. *Central Santa Lucia, L.C. v. Expedia Group, Inc.* No. 22-cv-367-JLH (D. Del.), ECF No. 155 (Scheduling Order). The trial will be conducted on an issue the Delaware Court bifurcated pursuant to Fed. R. Civ. P. 42(b). *Id.* ECF Nos. 153, 154. Defendants assert that in light of this significant scheduling conflict, which arose in late March 2025, they cannot finalize outstanding productions, participate

1 in all depositions, and conduct expert discovery prior to July 31, 2025 (the current fact discovery
2 deadline).

3 Should the Court grant the requested deadline extension, the Parties agree to the following
4 deadlines for the outstanding materials described above:

5 **May 29, 2025, to July 15, 2025** – Defendants will make reasonable accommodations for
6 the SEC to take at least two non-party witness depositions, and Plaintiff will make reasonable
7 accommodations for Defendants to take at least one deposition of a non-party witness identified
8 on Defendants’ Initial Disclosures.
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10 **June 13, 2025** – Defendants will serve the SEC with updated Initial Disclosures and a
11 privilege log from their January 6, 2025, production.

12 **June 30, 2025** – Defendants will produce to the SEC any outstanding documents
13 responsive to the Plaintiff’s First Set of Requests for Production of Documents, including
14 documents from the three categories listed above, with a privilege log.
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16 **July 14, 2025** – Defendants and the SEC will meet and confer regarding any outstanding
17 materials from the Defendants’ June 30, 2025, production or any other issues relating to the
18 Parties’ First and Second Sets of Requests and the Parties’ respective responses to Interrogatories.

19 Good cause exists to extend the discovery deadlines because Defendants require additional
20 time to participate in the remaining discovery meaningfully and to permit the SEC sufficient time
21 to review these materials. The Parties respectfully ask the Court to grant this extension in light of
22 this, as well as the additional agreement between the Parties to continue to diligently conduct
23 discovery through the imposition of internal deadlines.
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IV. PROPOSED SCHEDULE:

Event	Deadline	Proposed Deadline
Fact Discovery Cut-off	July 31, 2025	September 30, 2025
Expert Disclosure	May 29, 2025	August 15, 2025
Rebuttal Expert Disclosure	June 30, 2025	September 5, 2025
Dispositive Motion Cut-Off	August 28, 2025	October 27, 2025
Final Pretrial Order	September 30, 2025	November 28, 2025

IT IS SO STIPULATED.**Dated:** May 29, 2025

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If dispositive motions are
 filed, the deadline for filing
 the joint pretrial order will be
 suspended until 30 days after
 decision on the dispositive
 motions or further court order.
 The disclosures required by
 Fed. R. Civ. P. 26(a)(3) and
 any objections to them must
 be included in the joint pretrial
 order.

IT IS SO ORDERED:


 Hon. Maximiliano D. Conwiller III
 United States Magistrate Judge
 DATED: 5/30/2025